

Ordinance No. 13776 ✓

AN ORDINANCE providing for the opening, widening, extending, altering and straightening of THIRD AVENUE, et al.

347

Ordinance Bill No. 243

INTRODUCED: MAY 14 1906	BY: ZBINDEN
READ: MAY 14 1906	OF: STREET COM.
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Superseded Ord 9865

Res 483 - authorizes discontinuance condemn to § 1919 - a a Samy's add

L. J. M.

ORDINANCE NO. 13776

AN ORDINANCE providing for the laying off, widening, extending, altering and establishing of THIRD AVENUE, between Pike Street and Denny Way; FOURTH AVENUE, between Pike Street and Denny Way, and FIFTH AVENUE, between Westlake Avenue and Denny Way, all in the City of Seattle, as public streets and highways, over and across certain lots, blocks, tracts and parcels of land in said city, and providing for the changing and establishing of the grades of the following named streets and avenues, to-wit: THIRD AVENUE and THIRD AVENUE produced, from Pine Street to Cedar Street; FOURTH AVENUE, from Pine Street to Cedar Street; FIFTH AVENUE, from Westlake Avenue to Denny Way; OLIVE STREET, from Stewart Street to Westlake Avenue; STEWART STREET, from Second Avenue to Westlake Avenue; VIRGINIA STREET, from Second Avenue to Westlake Avenue; LENORA STREET, from Second Avenue to Fifth Avenue; BLANCHARD STREET, from Second Avenue to Fifth Avenue; BELL STREET, from Second Avenue to Fifth Avenue; BATTERY STREET, from the alley between Second Avenue and Third Avenue to Fifth Avenue; WALL STREET, from the alley between Second Avenue and Third Avenue to Fifth Avenue; and VINE STREET, from the alley between Second Avenue and Third Avenue to Fifth Avenue, all in the City of Seattle, and providing for the changing and establishing of the grades of all the alleys lying between Second Avenue and Fifth Avenue, and Cedar Street and Pine Street, and providing for the taking and damaging of all land and other property necessary in the laying off, widening, extending, altering and establishing of said Third Avenue, Fourth Avenue and Fifth Avenue, and in the grading and regrading of said Third Avenue and Third Avenue produced, Fourth Avenue, Fifth Avenue, Olive Street, Stewart Street, Virginia Street, Lenora Street, Blanchard Street, Bell Street, Battery Street, Wall Street and Vine Street, and the alleys between Second Avenue and Fifth Avenue, and Pine Street and Cedar Street, and of the approaches to said streets, avenues and alleys, in conformity with such established grades, and in the construction of the necessary slopes and retaining walls for cuts and fills upon the real property abutting on said streets, avenues, alleys and approaches thereto, and providing for the ascertainment and payment of the just compensation to be made for the property and property rights taken or damaged for such purposes, and for an assessment upon the property benefited, for the purpose of making such compensation and paying the cost of such proceedings, and repealing all ordinances and parts of ordinances in conflict herewith.

W H E R E A S, public necessity demands that Third Avenue, Between Pike Street and Denny Way; Fourth Avenue, between Pike Street and Denny Way, and Fifth Avenue, between Westlake Avenue and Denny Way, be laid off, widened, extended, altered and established, as public streets and highways, and that the grades of Third Avenue and Third Avenue produced, from Pine Street to Cedar Street; Fourth

Fourth Avenue, from Pine Street to Cedar Street; Fifth Avenue, from Westlake Avenue to Denny Way; Olive Street, from Stewart Street to Westlake Avenue; Stewart Street, from Second Avenue to Westlake Avenue; Virginia Street, from Second Avenue to Westlake Avenue; Lenora Street, from Second Avenue to Fifth Avenue; Blanchard Street, from Second Avenue to Fifth Avenue; Bell Street, from Second Avenue to Fifth Avenue; Battery Street, from the alley between Second Avenue and Third Avenue to Fifth Avenue; Wall Street, from the alley between Second Avenue and Third Avenue to Fifth Avenue, and Vine Street, from the alley between Second Avenue and Third Avenue to Fifth Avenue, and the alleys lying between Second Avenue and Fifth Avenue, Cedar Street and Pine Street, all in the City of Seattle, be changed and established, and that such streets, avenues, alleys and approaches thereto, be graded in conformity with such established grades; and

W H E R E A S, such improvement will be of special benefit to certain lands, premises and other property; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Third Avenue, in said City of Seattle, from Pike Street to Denny Way, be and the same is hereby laid off, widened, extended, altered and established, as a public street and highway to a uniform width of ninety (90) feet, over and across certain lots, blocks, tracts and parcels of land, more particularly described as follows, to-wit:

(1) All those lots, blocks, tracts or parcels of land lying between the center line of Third Avenue, as the same now exists, and a line forty-five (45) feet to the eastward of and parallel with said center line of Third Avenue, from the northerly marginal line of Pike Street to the southerly marginal line of Stewart Street.

(2) All those lots, blocks, tracts and parcels of land

lying between the center line of Third Avenue, as the same now exists, and a line forty-five (45) feet westward of and parallel with said center line of Third Avenue, from the northerly marginal line of Pike Street to the southerly marginal line of Stewart Street.

(3) That remaining portion of the northeast corner of Block Forty-five (45), A. A. Denny's Addition to the City of Seattle, lying eastward of a line forty-five (45) feet westward of and parallel with the existing center line of Third Avenue, as platted in Bell & Denny's Third Addition to the City of Seattle, produced southward.

(4) A strip of land ninety (90) feet in width, extending from the northerly marginal line of Stewart Street to the southerly marginal line of Virginia Street, and being forty-five (45) feet in width on each side of the center line of Third Avenue, as platted in Bell & Denny's Third Addition to the City of Seattle, produced southward from Virginia Street to Stewart Street.

(5) All those lots, blocks, tracts and parcels of land lying between the center line of Third Avenue, as the same now exists, and a line forty-five (45) feet eastward of and parallel with the said center line of Third Avenue, from the northerly marginal line of Virginia Street to the southerly marginal line of Denny Way.

(6) All those lots, blocks, tracts and parcels of land lying between the center line of Third Avenue, as the same now exists, and a line forty-five (45) feet westward of and parallel with the said center line of Third Avenue, from the northerly marginal line of Virginia Street to the southerly marginal line of Denny Way.

That Fourth Avenue, in said City of Seattle, between Pike Street and Denny Way, be and the same is hereby laid off, widened, extended, altered and established, as a public street and highway to a uniform width of ninety (90) feet, over and across certain lots, blocks, tracts and parcels of land, more particularly described as follows, to-wit:

(1) All those lots, blocks, tracts and parcels of land lying between the center line of Fourth Avenue, as the same now exists, and a line forty-five (45) feet eastward of and parallel with the said center line of Fourth Avenue, from the northerly marginal line of Pike Street to the southerly marginal line of Olive Street.

(2) All those lots, blocks, tracts and parcels of land lying between the center line of Fourth Avenue, as the same now exists, and a line forty-five (45) feet westward of and parallel with the said center line of Fourth Avenue, from the northerly marginal line of Pike Street to the southerly marginal line of Olive Street.

(3) That remaining portion of Block Fifty-two (52), A. A. Denny's Addition to the City of Seattle, lying eastward of a line forty-five (45) feet westward of and parallel with the existing center line of Fourth Avenue, as platted in Bell & Denny's Third Addition to the City of Seattle, produced southward.

(4) All those lots, blocks, tracts and parcels of land lying between the center line of Fourth Avenue, as the same now exists, and a line forty-five (45) feet eastward of and parallel with the said center line of Fourth Avenue, from the northerly marginal line of Olive Street to the southerly marginal line of Denny Way.

(5) All those lots, blocks, tracts and parcels of land lying between the center line of Fourth Avenue, as the same now exists, and a line forty-five (45) feet westward of and parallel with the said center line of Fourth Avenue, from the northerly marginal line of Stewart Street to the southerly marginal line of Denny Way.

That Fifth Avenue, in said City of Seattle, between Westlake Avenue and Denny Way, be laid off, widened, extended, altered and established, as a public street and highway to a uniform width of ninety (90) feet, over and across certain lots, blocks, tracts and parcels of land, more particularly described as follows, to-wit:

(1) All those lots, blocks, tracts and parcels of land lying between the center line of Fifth Avenue, as the same now exists, and a line forty-five (45) feet eastward of and parallel with the said center line of Fifth Avenue, from the westerly marginal line of Westlake Avenue to the southerly marginal line of Denny Way.

(2) All those lots, blocks, tracts and parcels of land lying between the center line of Fifth Avenue, as the same now exists, and a line forty-five (45) feet westward of and parallel with the said center line of Fifth Avenue, from the westerly marginal line of Westlake Avenue to the southerly marginal line of Denny Way.

Sec. 2. That the grades of Third Avenue and Third Avenue produced, from Pine Street to Cedar Street; Fourth Avenue, from Pine Street to Cedar Street; Fifth Avenue, from Westlake Avenue to Denny Way; Olive Street, from Stewart Street to Westlake Avenue; Stewart Street, from Second Avenue to Westlake Avenue; Virginia Street, from Second Avenue to Westlake Avenue; Lenora Street, from Second Avenue to Fifth Avenue; Blanchard Street, from Second Avenue to Fifth Avenue; Bell Street, from Second Avenue to Fifth Avenue; Battery Street, from the alley between Second Avenue and Third Avenue to Fifth Avenue; Wall Street, from the alley between Second Avenue and Third Avenue to Fifth Avenue, and Vine Street, from the alley between Second Avenue and Third Avenue to Fifth Avenue, and the alleys lying between Second Avenue and Fifth Avenue, Cedar Street and Pine Street, all in the City of Seattle, be and the same are hereby changed and established at the following elevations above city datum, to-wit:

ON THIRD AVENUE AND THIRD AVENUE PRODUCED-

At the north margin of Pine Street, East and West curbs at the existing grade,		125.00 feet
At the south margin of Stewart Street	East curb,	132.05 feet
	West curb,	132.75 feet
At the north margin of Stewart Street	East curb,	132.95 feet
	West curb,	133.65 feet
At the south margin of Virginia Street	East curb,	143.30 feet
	West curb,	144.00 feet
At the north margin of Virginia Street	East curb,	143.30 feet
	West curb,	144.00 feet
At the south margin of Lenora Street	East curb,	136.30 feet
	West curb,	137.00 feet
At the north margin of Lenora Street	East curb,	135.30 feet
	West curb,	136.00 feet
At the south margin of Blanchard Street	East curb,	128.40 feet
	West curb,	129.10 feet
At the north margin of Blanchard Street	East curb,	127.40 feet
	West curb,	128.10 feet
At the south margin of Bell Street	East and West curbs,	120.65 feet
At the north margin of Bell Street	East and West curbs,	119.65 feet
At the south margin of Battery Street	East curb,	113.80 feet
	West curb,	112.50 feet
At the north margin of Battery Street	East curb,	112.40 feet
	West curb,	111.80 feet
At the south margin of Wall Street	East and West curbs,	108.50 feet
At the north margin of Wall Street	East and West curbs,	108.30 feet
At the south margin of Vine Street	East and West curbs,	107.60 feet
At the north margin of Vine Street	East and West curbs,	107.60 feet
At the south margin of Cedar Street,		
East curb, at the existing grade,		111.77 feet
West curb, at the existing grade,		111.76 feet

ON FOURTH AVENUE-

At the north margin of Pine Street,		
East curb, at the existing grade,		115.00 feet
West curb, at the existing grade,		115.70 feet
At the south margin of Olive Street	East curb,	119.90 feet
	West curb,	120.60 feet
At the north margin of Stewart Street	East curb,	121.60 feet
	West curb,	122.30 feet
At the south margin of Virginia Street	East curb,	126.50 feet
	West curb,	127.20 feet
At the north margin of Virginia Street	East curb,	126.50 feet
	West curb,	127.20 feet
At the south margin of Lenora Street	East curb,	124.31 feet
	West curb,	125.03 feet
At the north margin of Lenora Street	East curb,	123.91 feet
	West curb,	124.63 feet
At the south margin of Blanchard Street	East curb,	121.73 feet
	West curb,	122.45 feet
At the north margin of Blanchard Street	East curb,	121.33 feet
	West curb,	122.05 feet
At the south margin of Bell Street	East and West curbs,	119.14 feet
At the north margin of Bell Street	East and West curbs,	118.74 feet
At the south margin of Battery Street	East and West curbs,	116.56 feet
At the north margin of Battery Street	East and West curbs,	116.16 feet
At the south margin of Wall Street	East curb,	114.70 feet
	West curb,	114.35 feet
At the north margin of Wall Street	East curb,	114.35 feet
	West curb,	114.00 feet

At the south margin of Vine Street	East curb,	113.30 feet
At the north margin of Vine Street	West curb,	113.15 feet
At the south margin of Cedar Street,	East curb,	113.30 feet
East curb, at the existing grade,	West curb,	113.30 feet
West curb, at the existing grade,		117.78 feet
		117.73 feet

ON FIFTH AVENUE-

At the westerly margin of Westlake Avenue	East curb,	100.20 feet
At the north margin of Olive Street	West curb,	101.40 feet
At the south margin of Stewart Street	East curb,	102.20 feet
At the north margin of Stewart Street	West curb,	102.90 feet
At the south margin of Virginia Street	East curb,	103.20 feet
At the north margin of Virginia Street	West curb,	103.90 feet
At the south margin of Lenora Street	East curb,	109.70 feet
At the north margin of Lenora Street	West curb,	110.40 feet
At the south margin of Blanchard Street	East curb,	109.90 feet
At the north margin of Blanchard Street	West curb,	110.60 feet
At the south margin of Bell Street	East curb,	111.42 feet
At the north margin of Bell Street	West curb,	112.16 feet
At the south margin of Battery Street East and West curbs,	East curb,	111.70 feet
At the north margin of Battery Street East and West curbs,	West curb,	112.44 feet
At the south margin of Wall Street,	East curb,	113.22 feet
At the north margin of Wall Street	West curb,	113.96 feet
At the south margin of Vine Street	East curb,	113.50 feet
At the north margin of Vine Street	West curb,	114.24 feet
At the south margin of Cedar Street,	East curb,	115.02 feet
East curb, at the existing grade,	West curb,	115.38 feet
West curb, at the existing grade,	East curb,	115.30 feet
	West curb,	115.68 feet
	East curb,	116.82 feet
	West curb,	117.10 feet
	East curb,	118.12 feet
	West curb,	117.76 feet
	East curb,	118.40 feet
	West curb,	118.04 feet
	East curb,	119.41 feet
	West curb,	119.05 feet
	East curb,	119.68 feet
	West curb,	119.32 feet
		120.70 feet
		119.80 feet

ON OLIVE STREET-

At the intersection of the south line of Stewart Street with the south line of Olive Street		
At the west margin of Fourth Avenue	South curb,	128.40 feet
At the east margin of Fourth Avenue	South curb,	120.85 feet
At the west margin of Fifth Avenue	North curb,	120.65 feet
At the westerly margin of Westlake Avenue	South curb,	119.85 feet
	North curb,	101.40 feet
	South curb,	102.50 feet

ON STEWARD STREET-

At the east margin of Second Avenue,		
North curb, at the existing grade,		143.52 feet
South curb, at the existing grade,		143.00 feet

At the west margin of Third Avenue
 At the east margin of Third Avenue
 At the intersection of the south line of
 Stewart Street with the south line of Olive Street,
 At the west margin of Fourth Avenue
 At the east margin of Fourth Avenue
 At the west margin of Fifth Avenue
 At the east margin of Fifth Avenue
 At the westerly margin of Westlake Avenue

North curb,	133.70 feet
South curb,	133.00 feet
North curb,	132.70 feet
South curb,	132.00 feet
South curb,	128.40 feet
North curb,	122.35 feet
North curb,	121.35 feet
South curb,	120.65 feet
North curb,	103.90 feet
South curb,	103.20 feet
North curb,	102.90 feet
South curb,	102.20 feet
North curb,	97.22 feet
South curb,	98.00 feet

ON VIRGINIA STREET-

at the east margin of Second Avenue,
 North and South curbs, at the existing grade,
 At the west margin of Third Avenue, North and South curbs,
 At the east margin of Third Avenue, North and South curbs,
 At the west margin of Fourth Avenue, North and South curbs,
 At the east margin of Fourth Avenue, North and South curbs,
 At the west margin of Fifth Avenue, North and South curbs,
 At the east margin of Fifth Avenue, North and South curbs,
 At the west margin of Sixth Avenue,
 At the east margin of Sixth Avenue,
 At the westerly margin of Westlake Avenue

North and South curbs,	159.33 feet
North and South curbs,	144.25 feet
North and South curbs,	143.25 feet
North and South curbs,	127.46 feet
North and South curbs,	126.46 feet
North and South curbs,	110.67 feet
North and South curbs,	109.67 feet
North curb,	94.18 feet
South curb,	93.88 feet
North curb,	93.18 feet
South curb,	92.88 feet
North curb,	84.90 feet
South curb,	85.90 feet

ON LENORA STREET-

At the east margin of Second Avenue,
 North curb, at the existing grade,
 South curb, at the existing grade,
 At the west margin of Third Avenue
 At the east margin of Third Avenue
 At the west margin of Fourth Avenue
 At the east margin of Fourth Avenue
 At the west margin of Fifth Avenue
 At the east margin of Fifth Avenue

North curb,	146.33 feet
South curb,	147.42 feet
North curb,	136.30 feet
South curb,	137.00 feet
North curb,	135.30 feet
South curb,	136.00 feet
North curb,	124.86 feet
South curb,	125.08 feet
North curb,	123.86 feet
South curb,	124.08 feet
North curb,	112.50 feet
South curb,	112.36 feet

ON BLANCHARD STREET-

At the east margin of Second Avenue,
 North curb, at the existing grade,
 South curb, at the existing grade,
 At the west margin of Third Avenue
 At the east margin of Third Avenue
 At the west margin of Fourth Avenue

North curb,	133.33 feet
South curb,	134.42 feet
North curb,	128.40 feet
South curb,	129.10 feet
North curb,	127.40 feet
South curb,	128.10 feet
North curb,	122.28 feet
South curb,	122.50 feet

At the east margin of Fourth Avenue	North curb,	121.28 feet
	South curb,	121.50 feet
At the west margin of Fifth Avenue	North curb,	114.30 feet
	South curb,	114.16 feet

ON BELL STREET-

At the east margin of Second Avenue,	North curb, at the existing grade,	120.33 feet
	South curb, at the existing grade,	121.42 feet
At the west margin of Third Avenue	North curb,	119.80 feet
	South curb,	120.85 feet
At the east margin of Third Avenue	North curb,	119.65 feet
	South curb,	120.50 feet
At the west margin of Fourth Avenue	North curb,	118.90 feet
	South curb,	119.15 feet
At the east margin of Fourth Avenue	North curb,	118.75 feet
	South curb,	119.00 feet
At the west margin of Fifth Avenue	North curb,	115.68 feet
	South curb,	115.50 feet

ON BATTERY STREET-

At the east margin of the alley between Second Avenue and Third Avenue,	North curb, at the existing grade,	110.01 feet
	South curb, at the existing grade,	110.51 feet
At the west margin of Third Avenue	North curb,	111.80 feet
	South curb,	112.30 feet
At the east margin of Third Avenue	North curb,	113.10 feet
	South curb,	113.80 feet
At the west margin of Fourth Avenue	North curb,	116.15 feet
	South curb,	116.40 feet
At the east margin of Fourth Avenue	North curb,	116.30 feet
	South curb,	116.55 feet
At the west margin of Fifth Avenue	North curb,	116.95 feet
	South curb,	116.85 feet

ON WALL STREET-

At the east margin of the alley between Second Avenue and Third Avenue,	North curb, at the existing grade,	106.30 feet
	South curb, at the existing grade,	106.87 feet
At the west margin of Third Avenue	North curb,	108.20 feet
	South curb,	108.20 feet
At the east margin of Third Avenue	North curb,	108.40 feet
	South curb,	108.40 feet
At the west margin of Fourth Avenue	North curb,	114.00 feet
	South curb,	114.20 feet
At the east margin of Fourth Avenue	North curb,	114.50 feet
	South curb,	114.70 feet
At the west margin of Fifth Avenue	North curb,	117.92 feet
	South curb,	117.74 feet

ON VINE STREET-

At the east margin of the alley between Second Ave- nue and Third Avenue,	North curb, at the existing grade,	104.43 feet
	South curb, at the existing grade,	104.46 feet

At the west margin of Third Avenue North and South curbs, 107.50 feet
 At the east margin of Third Avenue North and South curbs, 107.70 feet
 At the west margin of Fourth Avenue North and South curbs, 113.00 feet
 At the east margin of Fourth Avenue North and South curbs, 113.50 feet
 At the west margin of Fifth Avenue North curb, 119.20 feet
 At the west margin of Fifth Avenue South curb, 119.03 feet

All grade lines to run straight between the respective points established herein.

That the grades of each and all of the alleys in the several blocks lying between Second Avenue and Fifth Avenue, and Cedar Street and Pine Street, are hereby fixed and established at such grades as will conform to the elevations herein fixed on the above named streets and avenues, at the point of the respective intersections of such streets and avenues with said alleys.

That in the construction of the necessary slopes and retaining walls for cuts and fills upon property abutting upon said streets, avenues, alleys and approaches thereto, in the grading and regrading of said streets, avenues, alleys and approaches thereto, in accordance with the grades established herein, each cut shall be carried back into and extend upon the abutting real property, one foot for each foot in depth of cut, and each fill shall be carried back and extend upon the abutting real property one and one-half feet for each foot of elevation of fill.

Sec. 3. That all the lands, premises and other property within the limits of the lots, blocks, tracts and parcels of land bounded and described in Section 1 herein, be and the same are hereby condemned and appropriated to the public use for the purpose of public streets and highways forever; and that all the lands, rights, privileges and other property necessary to be taken, used or damaged in the grading and regrading of said streets, avenues and alleys, mentioned and described in Section 2 herein, and in the grading and regrading of the approaches to said streets, avenues and alleys to such distance back from said streets, avenues and alleys, not exceeding two hundred and fifty-six (256) feet, as may be necessary, in conformity with such established grades, and in the construction of slopes and retaining walls for cuts and fills upon the property abut-

ting upon said streets, avenues, alleys and approaches thereto, are hereby condemned and appropriated to the public use for the purpose of making such changes of grade and in the construction of the necessary slopes and retaining walls in the grading and regrading of said streets, avenues, alleys and approaches thereto; said lands, rights, privileges and other property to be taken and appropriated only after just compensation has been made or paid into court for the owner in the manner provided by law.

Sec. 4. That the Corporation Counsel be, and he is, hereby authorized and directed to file in the Superior Court of the State of Washington, for King County, in the name of the City of Seattle, a petition complying with the requirements of the laws of the State of Washington, and praying that just compensation to be made for the property and property rights to be taken or damaged for the laying off, widening, extending, altering and establishing of said Third Avenue, Fourth Avenue and Fifth Avenue, as public streets as provided in Section 1 herein, and for the property and property rights to be taken or damaged by reason of the changing of the grades of the streets, avenues and alleys mentioned in Section 2 herein, and the grading and regrading of the same in conformity with such established grades, and by the construction of the necessary slopes and retaining walls for cuts and fills upon abutting property, as provided in Sections 2 and 3 herein, be ascertained by a jury or by the court in case a jury be waived.

Sec. 5. An assessment shall be made in the manner provided by law for the purpose of raising the amount necessary to pay the compensation and damages which shall be awarded for the property taken or damaged as aforesaid, and the cost of making and collecting such assessment, and said assessment shall be made subject to the provisions of said laws upon all the property specially benefited.

Any part of the compensation, damages or costs that is

not finally assessed against said property benefited shall be paid from the General Fund of the City of Seattle.

Sec. 6. That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

P. 1-106 P. & H.-1M

Affidavit of Publication.

State of Washington,)
County of King, City of Seattle,)

W. P. HAMMONS, being sworn, says he is the publisher of the **SEATTLE DAILY BULLETIN**, a daily newspaper, printed and published at Seattle, King County, State of Washington; that it is a newspaper of general circulation in said County and State, and that the annexed, being Ordinance No. 13776, was published in said newspaper, and not in a supplement thereof and is a true copy of the notice, as it was published in the regular and entire issue of said paper on the day of May 1906 and that said newspaper was regularly distributed to its subscribers on said day

Subscribed and sworn to before me this 25 day of May 1906
W.P. Hammons
A

ORDINANCE NO. 13776.
AN ORDINANCE providing for the laying off, widening, extending, altering and establishing of Third Avenue, between Pike Street and Denny Way, Fourth Avenue, between Pike Street and Denny Way, and Fifth Avenue, between Westlake Avenue and Denny Way, all in the City of Seattle, as public streets and highways, over and across certain lots, blocks, tracts and parcels of land in said city, and providing for the changing and establishing of the grades of the following named streets, to-wit: Third Avenue and Third Avenue produced, from Pike Street to Cedar Street; Fourth Avenue, from Pike Street to Cedar Street; Fifth Avenue, from Westlake Avenue to Denny Way; Olive Street, from Stewart Street to Westlake Avenue; Second Street, from Second Avenue to Westlake Avenue; Virginia Street, from Second Avenue to Fifth Avenue; Blanchard Street, from Second Avenue to Fifth Avenue; Bell Street, from Second Avenue to Fifth Avenue; Battery Street, from the alley between Second Avenue and Third Avenue to Fifth Avenue; Wall Street, from Third Avenue to Fifth Avenue; and the alley between Second Avenue and Third Avenue to Fifth Avenue, in the City of Seattle, and establishing the grades of all the streets and alleys between Pike Street and Denny Way, and providing for the taking and demarcating of all land and other property necessary in the laying off, widening, extending, altering and establishing of said Third Avenue, Fourth Avenue and Fifth Avenue, and in the grading and regrading of said Third Avenue and Third Avenue produced, Fourth Avenue, Street, Virginia Street, Lenora Street, Blanchard Street, Bell Street, Battery Street, Wall Street, Bell Street, Battery Street, and the alleys between Second Avenue and Fifth Avenue, and Pike Street, and Cedar Street, and Pike Street, in conformity with such established grades, and in the construction of the necessary approaches and retaining walls for cuts and fill upon the real property abutting on said streets, avenues, alleys and approaches thereto, and payment of the just compensation to be made for the property and property rights taken or damaged for such purposes, and for an assessment upon the property benefited, for the purpose of making such compensation, and repealing all ordinances and parts of ordinances in conflict herewith.

Whereas, Public necessity demands that Third Avenue, between Pike Street and Denny Way, Fourth Avenue, between Pike Street and Denny Way, and Fifth Avenue, between Westlake Avenue and Denny Way, be laid off, widened, extended, altered and established, as public streets and highways, and the grades of Third Avenue and Third Avenue produced, from Pike Street to Cedar Street; Fourth Avenue, from Pike Street to Cedar Street; Fifth Avenue, from Westlake Avenue to Denny Way; Olive Street, from Stewart Street to Westlake Avenue; Second Street, from Second Avenue to Westlake Avenue; Virginia Street, from Second Avenue to Fifth Avenue; Blanchard Street, from Second Avenue to Fifth Avenue; Bell Street, from Second Avenue to Fifth Avenue; Battery Street, from the alley between Second Avenue and Third Avenue to Fifth Avenue; Wall Street, from Third Avenue to Fifth Avenue; and the alley between Second Avenue and Third Avenue to Fifth Avenue, in the City of Seattle, be changed and established, and that such streets, avenues, alleys and approaches thereto, be graded in conformity with such established grades; and,

Whereas, Such improvement will be of special benefit to certain lands, premises and other property; Now, Therefore, Be it ordained by the City of Seattle as follows:

Section 1. That Third Avenue, in the City of Seattle, from Pike Street to Denny Way, be and the same is hereby laid off, widened, extended, altered and established, as a public street and highway, to a uniform width of ninety feet, over and across certain lots, blocks, tracts and parcels of land, more particularly described as follows: to-wit:

- (1) All those lots, blocks, tracts or parcels of land lying between the center line of Third Avenue, as the same now is, and a line forty-five (45) feet to the eastward of and parallel with said center line of Third Avenue, from the westerly marginal line of Pike Street to the westerly marginal line of Stewart Street.
- (2) All those lots, blocks, tracts and parcels of land lying between the center line of Third Avenue, as the same now is, and a line forty-five (45) feet to the eastward of and parallel with said center line of Third Avenue, from the westerly marginal line of Pike Street to the westerly marginal line of Pike Street.

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of Third Avenue as the same now is, and a line forty-five (45) feet eastward of and parallel with said line of Third Avenue, from the southerly marginal line of Pike Street to the southerly marginal line of Stewart Street.

(21) All those lots, blocks, tracts and parcels of land lying between the center of Third Avenue, as the same now is, and a line forty-five (45) feet eastward of and parallel with said line of Third Avenue, from the southerly marginal line of Pike Street to the southerly marginal line of Stewart Street.

(22) That remaining portion of the east corner of Block Forty-five (45) A. A. Deany's Addition to the City of Seattle, lying eastward of a line forty-five (45) feet westward of and parallel with the existing center line of Third Avenue, as plotted in Bell & Deany's Third Addition to the City of Seattle, produced southward.

(23) A strip of land ninety (90) feet wide extending from the southerly marginal line of Virginia Street to the southerly marginal line of Olive Street, and a line forty-five (45) feet eastward of and parallel with said line of Third Avenue, from the southerly marginal line of Pike Street to the southerly marginal line of Olive Street.

(24) All those lots, blocks, tracts and parcels of land lying between the center of Third Avenue, as the same now is, and a line forty-five (45) feet eastward of and parallel with the said line of Third Avenue, from the southerly marginal line of Virginia Street to the southerly marginal line of Olive Street.

(25) That Fourth Avenue, in said City of Seattle, between Pike Street and Deany Way, be laid off, widened, extended, altered and established as a public street and highway to a uniform width of ninety (90) feet, and across certain lots, blocks, tracts and parcels of land, more particularly described as follows, to-wit:

(1) All those lots, blocks, tracts and parcels of land lying between the center of Fourth Avenue, as the same now is, and a line forty-five (45) feet eastward of and parallel with the said line of Fourth Avenue, from the southerly marginal line of Pike Street to the southerly marginal line of Olive Street.

(2) All those lots, blocks, tracts and parcels of land lying between the center of Fourth Avenue, as the same now is, and a line forty-five (45) feet westward of and parallel with the said line of Fourth Avenue, from the southerly marginal line of Stewart Street to the southerly marginal line of Deany Way.

(3) All those lots, blocks, tracts and parcels of land lying between the center of Fourth Avenue, as the same now is, and a line forty-five (45) feet eastward of and parallel with the said line of Fourth Avenue, from the southerly marginal line of Westlake Avenue to the southerly marginal line of Olive Street.

(4) All those lots, blocks, tracts and parcels of land lying between the center of Fifth Avenue, as the same now is, and a line forty-five (45) feet eastward of and parallel with the said line of Fifth Avenue, from the southerly marginal line of Westlake Avenue to the southerly marginal line of Olive Street.

(5) All those lots, blocks, tracts and parcels of land lying between the center of Fifth Avenue, as the same now is, and a line forty-five (45) feet westward of and parallel with the said line of Fifth Avenue, from the southerly marginal line of Westlake Avenue to the southerly marginal line of Olive Street.

(6) That the grades of Third Avenue, between Pike Street and Deany Way, from Pike Street to Cedar Street; Fourth Avenue, from Westlake Avenue and Way, Olive Street, from Westlake Avenue; Stewart Street, from Second Avenue to Westlake Avenue; Virginia Street, from Second Avenue to Westlake Avenue; Lenora Street, from Second Avenue to Fifth Avenue; Wall Street, from the alley between Second Avenue and Third Avenue to Avenue, Wall Street, from the alley between Second Avenue and Third Avenue to Fifth Avenue, and Pine Street, from the alley between Second Avenue and Third Avenue to Cedar Street, all in the City of Seattle, be and the same are hereby laid off and established at the following elevations above city datum, to-wit:

At Third Avenue and Third Avenue West:
 The north margin of Pike Street, East and west curbs at the existing grade, 125.00 feet.
 The south margin of Stewart Street, East curb, 132.05 feet.
 West curb, 132.70 feet.
 The north margin of Stewart Street, East curb, 132.65 feet.
 West curb, 133.05 feet.
 The north margin of Virginia Street, East curb, 143.70 feet.
 West curb, 144.00 feet.
 At the north margin of Lenora Street, East curb, 136.30 feet.
 West curb, 137.00 feet.
 At the north margin of Lenora Street, East curb, 136.30 feet.
 West curb, 136.00 feet.
 At the south margin of Thompson Street, East curb, 128.40 feet.
 West curb, 129.10 feet.
 At the north margin of Blanchard Street, East curb, 127.40 feet.
 West curb, 128.10 feet.
 At the north margin of Bell Street, East and west curbs, 119.55 feet.
 At the north margin of Battery Street, East and west curbs, 112.50 feet.
 At the north margin of Battery Street, East curb, 112.40 feet.
 West curb, 111.30 feet.
 At the south margin of Wall Street, East and west curbs, 105.50 feet.
 At the north margin of Wall Street, East and west curbs, 105.50 feet.
 At the south margin of Vine Street, East and west curbs, 111.50 feet.
 At the north margin of Vine Street, East and west curbs, 111.50 feet.

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At the south margin of Stewart Street,
East curb, 137.05 feet.
At the north margin of Stewart Street,
East curb, 132.75 feet.
At the north margin of Stewart Street,
West curb, 132.05 feet.
At the south margin of Virginia Street,
East curb, 141.00 feet.
At the north margin of Virginia Street,
East curb, 141.00 feet.
At the north margin of Virginia Street,
West curb, 141.00 feet.
At the south margin of Lenora Street,
East curb, 136.30 feet.
At the north margin of Lenora Street,
East curb, 137.00 feet.
At the north margin of Lenora Street,
West curb, 136.30 feet.
At the south margin of Blanchard Street,
East curb, 128.60 feet.
At the north margin of Blanchard Street,
East curb, 127.40 feet.
At the north margin of Bell Street,
West curb, 128.10 feet.
At the south margin of Bell Street,
East and west curbs, 129.55 feet.
At the north margin of Bell Street,
East and west curbs, 118.83 feet.
At the south margin of Battery Street,
East curb, 112.30 feet.
At the north margin of Battery Street,
West curb, 112.30 feet.
At the north margin of Battery Street,
East curb, 112.40 feet.
At the south margin of Wall Street,
East and west curbs, 108.30 feet.
At the north margin of Wall Street,
East and west curbs, 108.30 feet.
At the south margin of Vine Street,
East and west curbs, 107.60 feet.
At the north margin of Vine Street,
East and west curbs, 107.60 feet.
At the south margin of Cedar Street,
East curb, at the existing grade,
117.7 feet.
West curb, at the existing grade,
117.7 feet.
On Fourth Avenue:
At the north margin of Pine Street,
East curb, at the existing grade,
118.0 feet.
West curb, at the existing grade,
115.70 feet.
At the south margin of Olive Street,
East curb, 112.00 feet.
West curb, 120.00 feet.
At the north margin of Stewart Street,
East curb, 121.50 feet.
West curb, 122.20 feet.
At the south margin of Virginia Street,
East curb, 126.50 feet.
West curb, 121.20 feet.
At the north margin of Virginia Street,
East curb, 126.50 feet.
West curb, 127.20 feet.
At the south margin of Lenora Street,
East curb, 124.31 feet.
West curb, 123.50 feet.
At the north margin of Lenora Street,
East curb, 123.51 feet.
West curb, 124.63 feet.
At the south margin of Blanchard Street,
East curb, 121.13 feet.
West curb, 122.45 feet.
At the north margin of Blanchard Street,
East curb, 121.33 feet.
West curb, 122.95 feet.
At the south margin of Bell Street,
East and west curbs, 119.44 feet.
At the north margin of Bell Street,
East and west curbs, 118.74 feet.
At the south margin of Battery Street,
East and west curbs, 116.56 feet.
At the north margin of Battery Street,
East and west curbs, 116.46 feet.
At the south margin of Wall Street,
East curb, 114.10 feet.
West curb, 114.35 feet.
At the north margin of Wall Street,
East curb, 114.85 feet.
West curb, 114.00 feet.
At the south margin of Vine Street,
East curb, 113.30 feet.
West curb, 113.15 feet.
At the north margin of Vine Street,
East curb, 113.20 feet.
West curb, 113.20 feet.
At the south margin of Cedar Street,
East curb, at the existing grade,
117.8 feet.
West curb, at the existing grade,
117.2 feet.
On Fifth Avenue:
At the westerly margin of Westlake Avenue,
East curb, 100.20 feet.
At the north margin of Olive Street,
West curb, 101.40 feet.
At the south margin of Stewart Street,
East curb, 102.20 feet.
West curb, 102.90 feet.
At the north margin of Stewart Street,
East curb, 103.30 feet.
West curb, 103.50 feet.
At the south margin of Virginia Street,
East curb, 102.10 feet.
West curb, 110.40 feet.
At the north margin of Virginia Street,
East curb, 103.80 feet.
West curb, 110.50 feet.
At the south margin of Lenora Street,
East curb, 111.42 feet.
West curb, 112.18 feet.
At the north margin of Lenora Street,
East curb, 111.70 feet.
West curb, 112.44 feet.
At the south margin of Blanchard Street,
East curb, 113.35 feet.
West curb, 113.22 feet.
At the north margin of Blanchard Street,
East curb, 113.50 feet.
West curb, 112.60 feet.
At the south margin of Bell Street,
East curb, 114.74 feet.
West curb, 115.38 feet.
At the north margin of Bell Street,
East curb, 115.38 feet.
West curb, 115.68 feet.
At the south margin of Battery Street,
East and west curbs, 116.82 feet.
At the north margin of Battery Street,
East and west curbs, 117.10 feet.
At the south margin of Wall Street,
East curb, 118.12 feet.
West curb, 117.82 feet.
At the north margin of Wall Street,
East curb, 118.40 feet.
West curb, 118.04 feet.
At the south margin of Vine Street,
East curb, 119.41 feet.
West curb, 119.05 feet.
At the north margin of Vine Street,
East curb, 119.68 feet.
West curb, 119.32 feet.
At the south margin of Cedar Street,
East curb, at the existing grade,
120.70 feet.
West curb, at the existing grade,
119.80 feet.
On Olive Street:
At the intersection of the south line of
Stewart Street with the south line of
Olive Street,
South curb, 125.40 feet.
At the west margin of Fourth Avenue,
South curb, 120.85 feet.
At the east margin of Fourth Avenue,
North curb, 120.05 feet.
At the west margin of Fifth Avenue,
North curb, 101.40 feet.
At the westerly margin of Westlake
Avenue,
South curb, 102.80 feet.
On Stewart Street:
At the east margin of Second Avenue,
North curb, at the existing grade,
143.62 feet.
South curb, at the existing grade,
143.00 feet.
At the west margin of Third Avenue,
North curb, 133.70 feet.
South curb, 133.70 feet.
At the east margin of Third Avenue,
North curb, 132.70 feet.
South curb, 132.00 feet.
At the intersection of the south line of
Stewart Street with the south line of
Olive Street,
South curb, 128.40 feet.
At the west margin of Fourth Avenue,
North curb, 122.35 feet.
At the east margin of Fourth Avenue,
South curb, 120.65 feet.
At the west margin of Fifth Avenue,
South curb, 102.90 feet.
At the east margin of Fifth Avenue,
North curb, 102.90 feet.

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South curb, 114.70 feet.
At the west margin of Fifth Avenue,
South curb, 117.92 feet.
South curb, 117.74 feet.
On Vine Street:
At the east margin of the alley between
Second Avenue and Third Avenue,
North curb, at the existing grade,
104.43 feet.
South curb, at the existing grade,
104.44 feet.
At the west margin of Third Avenue,
North and south curbs, 107.50 feet.
At the east margin of Third Avenue,
North and south curbs, 107.70 feet.
At the west margin of Fourth Avenue,
North and south curbs, 113.00 feet.
At the east margin of Fourth Avenue,
North and south curbs, 113.50 feet.
At the west margin of Fifth Avenue,
North curb, 119.02 feet.
South curb, 119.02 feet.

All grade lines to run straight between
the respective points established here-
in.
That the grades of each and all of
the alleys in the several blocks lying
between Second Avenue and Fifth Ave-
nue, and Cedar Street and Pine Street
are hereby fixed and established at such
grades as will conform to the elevations
herein fixed on the above named streets
and avenues, at the point of the re-
spective sections of such streets
to be opened with said alleys.

That in the construction of the neces-
sary slope and retaining walls for cuts
and fills in the project, abutting upon
said streets, avenues, alleys and ap-
proaches thereto, in the grading and re-
grading of said streets, avenues, alleys
and approaches thereto, in accordance
with the grades established herein, each
cut must be carried back into and ex-
tend upon the abutting real property,
except for each foot in depth of cut,
each fill shall be carried back and
extend upon the abutting real property
not less than one-half foot for each foot
of elevation of fill.

Sec. 2. That all the lands, premises
and other property within the limits of
the lots, blocks, tracts and parcels of
land bounded and described in Section 1
herein, be and the same are hereby con-
demned and appropriated to the public
use for the purpose of public streets and
highways forever; and that all the lands,
rights, privileges and other property
necessary to be taken, used or damaged
in the grading and regrading of said
streets, avenues and alleys, mentioned
and described in Section 1 herein, and
in the grading and regrading of the ap-
proaches to said streets, avenues and
alleys to such distance back from said
streets, avenues and alleys, not exceed-
ing two hundred and fifty-six (256) feet,
as may be necessary, in conformity with
such established grades, and in the con-
struction of slopes and retaining walls
for cuts and fills upon the property
abutting upon said streets, avenues, al-
leys and approaches thereto, are hereby
condemned and appropriated to the pub-
lic use for the purpose of making such
changes of grade and in the construction
of the necessary slopes and retaining
walls in the grading and regrading of
said streets, avenues, alleys and ap-
proaches thereto, said lands, rights,
privileges and other property to be
taken and appropriated only after just
compensation has been made or paid
into court for the owner in the manner
provided by law.

Sec. 3. That the Corporation Counsel
be, and he is, hereby authorized and ad-
vised to file in the Superior Court of
the State of Washington, for King Coun-
ty, in the name of the City of Seattle, a
petition complying with the require-
ments of the laws of the State of Wash-
ington, and praying that just compensa-
tion be made for the property and
property rights to be taken or damaged
or the laying off, widening, extending,
altering and establishing of said Third
Avenue, Fourth Avenue and Fifth Ave-
nue, as public streets as provided in
Section 1 herein, and for the property
and property rights to be taken or dam-
aged by reason of the changing of the
grades of the streets, avenues and al-
leys mentioned in Section 2 herein, and
the grading and regrading of the same
in conformity with such established
grades, and in the construction of the
cuts and fills upon abutting property,
as provided in Sections 2 and 3 herein,
in case a jury be waived.

An assessment shall be made
in the manner provided by law for the
purpose of raising the amount neces-
sary to pay the compensation and dam-
ages to be awarded for the
property here or damaged as aforesaid,
and the cost of making and collecting
said assessment, and said assessment
shall be made subject to the provisions
of said laws upon all the property spe-
cially benefited.

Any part of the compensation, dam-
ages or costs that is not finally ad-
justed against said property benefited
shall be paid from the General Fund of
the City of Seattle.

Sec. 4. That all ordinances and parts
of ordinances in conflict herewith be
and the same are hereby repealed.
Sec. 5. This ordinance shall take ef-
fect and be in force from and after its
passage and approval, if approved by
the Mayor; otherwise it shall take ef-
fect the provisions of the City Char-
ter of the City of Seattle.
Attest the City Council the 21st day
of May, 1906, and signed by me in open
session in authentication of its passage
at day of May, 1906.
D. W. BOWEN,
President of the City Council,
approved by me this 23rd day of May,
1906.
HICKMAN MOORE, Mayor,
approved by me this 23rd day of May,
1906.
W. C. CARROLL, Jr.,
City Auditor and ex-officio City
Clerk,
attest May 23, 1906.